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SIPDIS

DEPT FOR EUR/PPD S. ALTMAN-WINANS, DRL

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TAGS: [PGOV](#) [KPAO](#) [KDEM](#) [PHUM](#) [AJ](#)  
SUBJECT: ANOTHER AZERBAIJANI JOURNALIST FACING COURT  
PRESSURE

Classified By: PUBLIC DIPLOMACY COUNSELOR TERRY DAVIDSON, REASONS 1.4 (B) AND (D)

¶1. (U) SUMMARY: In what press freedom advocates are characterizing as another attempt to crush dissent, Azerbaijani authorities continue the prosecution of opposition daily "Yeni Musavat" columnist Mahal Ismayiloglu. The charges of hooliganism and intentional infliction of bodily harm brought against him appear to be politically motivated, aimed at punishing the journalist who formerly was Editor-in-chief of major government newspaper and forcing him to terminate his collaboration with the opposition press. The evidence against Mr. Ismayiloglu is clearly flawed, as witnessed by Public Diplomacy officer Dmitri Tarakhovsky during an April 16 court hearing. END SUMMARY.

¶2. (U) According to an Institute for Reporters, Freedom and Safety (IFRS) report, on June 27, 2008, Mr. Ismayiloglu was summoned to a police station to respond to a complaint filed against him by neighbor Vahid Imanov, who works in the Ministry of Interior. In the complaint, it is alleged that the journalist beat his neighbor's servant for dumping trash in his yard.

¶3. (U) During the April 16 hearing, the judge read the indictment. Then M. Ismayiloglu was given the floor to speak. Ismayiloglu denied the charges, saying that at the time of the alleged incident he was at a different place and reiterated his previous request to appoint an investigator to clarify this claim. M. Ismayiloglu says that his location at the time can be easily identified by calls he made from his mobile phone. His request was ignored. The plaintiff's claims seem confusing and contradictory. She initially said that M. Ismayiloglu pushed her, which caused her to fall and injure herself, but later she said that he threw an object at her, which caused her injury. Moreover, according to her, only her relatives were present at that time, but subsequently several eye witness testimonies were added to the case. M. Ismayiloglu answered questions from the judge, state prosecutor, and the plaintiff's lawyer and added that the allegations against him cooked up because of his collaboration with the opposition newspaper.

¶4. (C) M. Ismayiloglu related to embassy officer that he was approached by representatives of the presidential administration who suggested that the charges against him could be dropped if he stops collaborating with Yeni Musavat, the most widely read opposition newspaper. Ismayiloglu also said that one of the alleged witnesses approached him and apologized for testifying against him, explaining that he did so because the police threatened to charge his son with alleged drug possession.

¶5. (C) Comment: Despite a seriously flawed prosecution case, the judge continues to pursue the case by postponing the hearings and occasionally changing times. Meanwhile, M. Ismayiloglu, who suffers from severe heart condition (an August 2008 heart attack) and high blood pressure, is barred

from leaving the country for much-needed heart surgery.  
Embassy presence at the April 16 hearing was noted by the  
press, and we will continue monitoring the case to ensure  
that our interest is registered. Next hearing is scheduled on  
May 5. End comment.  
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